

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Robert Behl, et al

Serial No.: 09/6663,048

) **Group Art Unit: 3739**

) **Confirmation No.: 3396**

) **Examiner: Rosiland Kearney**

**Filed: September 15, 2003**

**For: METHODS AND SYSTEMS FOR  
FOCUSED BIPOLAR TISSUE ABLATION**

**TRANSMITTAL**

**M/S: Office of Patent Publication**  
Publishing Division, Drawing Processing Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**AUG 29 2003**

Office of Patent Publication  
Director's Office

Sir,

**1. DOCUMENTS ENCLOSED:**

In response to the NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION, which was mailed by the Patent Office on August 8, 2003, enclosed are:

- ☒ Response to Notice of Drawings Inconsistency with Specification, 2 pages;
- ☒ Copy of Notice of Drawings Inconsistency with Specification, 2 pages;
- ☒ Formal Drawings (13 sheet);

**CERTIFICATE OF MAILING**

(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Publication Division; Alexandria, VA 22313-1450

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August 27, 2003  
Date of deposit

Maritza D. Kidd

Name of Person transmitting Paper

Signature of Person depositing Paper

- ☒ Copy of Return receipt postcard with official stamp on September 15, 2000 (Exhibit A) 1 page;
- ☒ Copy of Application transmittal on September 15, 2000 (Exhibit B) 1 page;
- ☒ Transmittal and certificate of mailing, 2 pages;
- ☒ Return-receipt-postcard

Respectfully submitted,  
BINGHAM McCUTCHEN LLP

Dated: 8.26.03

By: DT Burse  
David T. Burse  
Reg. No. 37,104



23639  
PATENT TRADEMARK OFFICE

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
(650) 849-4400

#20  
10-6-03  
CK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                 |   |                            |
|---------------------------------|---|----------------------------|
| In re the Application of:       | ) | Group Art Unit: 3739       |
| Robert Behl, et al              | ) | Confirmation No.: 3396     |
| Serial No.: 09/6663,048         | ) | Examiner: Rosiland Kearney |
| <hr/>                           |   |                            |
| Filed: September 15, 2003       | ) |                            |
| For: METHODS AND SYSTEMS FOR    | ) |                            |
| FOCUSED BIPOLAR TISSUE ABLATION | ) |                            |

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION  
AND RESUBMISSION OF FORMAL DRAWINGS

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Sir:

In response to the Notice of Drawings Inconsistency with Specification mailed August 8, 2003, for the above-referenced application, Applicant hereby resubmit Formal Drawings (13 sheets) filed on September 15, 2000.

According to the Notice of Drawings Inconsistency with Specification, the drawings contains Figures 11-A to 13, although the brief description of drawings in the specification refers to Figure 1-13. However, as evidenced herein, the formal drawings (Figures 1-13) were filed along with the patent application on September 15, 2000, and were received with the US Patent & Trademark Office (USPTO) as shown in the return receipt postcard that includes a stamp with the official date of receipt. (Exhibit A). Furthermore, the application transmittal refers to the enclosure of 13 sheets of formal drawings along with the specification on September 15, 2000 (Exhibit B).

Issuance and publication of patent is respectfully requested.

Although no fee is believed to be required, the Commissioner is hereby authorized to charge any fee which may be required, or credit any overpayment to Bingham McCutchen's Deposit Account No. 50-2518.

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Any questions regarding the above resubmission of formal drawings should be brought to undersigned's attention.

Dated: 8-26-03

Respectfully submitted,  
BINGHAM McCUTCHEN LLP

By: DTBurse  
David T. Burse  
Reg. No. 37,104

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
(650) 849-4824

"A"

PATENT APPLICATION  
FILING ACKNOWLEDGMENT  
via EXPRESS MAIL LABEL EL525625023US

Mailing Date: 9/15/2000  
File No.: 16807-002400 Attorney: JAMES M. HESLIN/kh  
Inventor(s): ROBERT S. BEHL et al.  
Title: METHODS & SYSTEMS FOR FOCUSED BIPOLAR TISSUE...

Declaration (Unexecuted)

No. Pages of Description: 32  
No. Pages of Claims: 09  
No. Pages of Abstract: 01  
No. Sheets of Drawings: 13

X Application Transmittal (1):  
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ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:  
Transmitted herewith for filing under 37 CFR 1.53(b) is the

- ☒ patent application of  
☐ continuation patent application of  
☐ divisional patent application of  
☐ continuation-in-part patent application of

Attorney Docket No. 16807-002400

"Express Mail" Label No. EL525625023US

Date of Deposit: September 15, 2000

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under 37 CFR 1.10 on the date indicated above, addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

By: Ron Anton  
RON ANTON

Inventor(s)/Applicant Identifier: ROBERT S. BEHL, MORTON GROSSER & ALEXANDER L. HUANG

For: METHODS AND SYSTEMS FOR FOCUSED BIPOLAR TISSUE ABLATION

Enclosed are:

- ☒ 32 total page count of specification, claims & abstract  
☒ 09 page(s) of claims  
☒ 01 page of Abstract  
☒ 13 sheet(s) of ☒ formal ☐ informal drawing(s).  
☒ A ☐ signed ☒ unsigned Declaration.  
☐

In view of the Unsigned Declaration as filed with this application and pursuant to 37 CFR §1.53(f),  
Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.

DO NOT CHARGE THE FILING FEE AT THIS TIME.

Telephone:  
(415) 576-0200

Facsimile:  
(415) 576-0300

James M. Heslin  
Reg. No.: 29,541  
Attorneys for Applicant

PA 3096875 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE  | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|--------------|----------------------|---------------------|------------------|
| 09/663,048 ✓    | 09/15/2000 ✓ | Robert S. Behl       | 16807-002400        | 3396             |

7390

09/08/2003

BOSTON SCIENTIFIC CORPORATION  
PATENT DEPARTMENT (ATTN: BOX ANNUITY/MFEES)  
ONE BOSTON SCIENTIFIC PLACE  
NATICK, MA 01760

EXAMINER

KEARNEY, ROSILAND STACLE

ART UNIT

PAPER NUMBER

3739

DATE MAILED: 08/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Received by Jessica M. Niro  
AUG 19 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 09/1663,048   |             |                       |                     |

| EXAMINER |              |
|----------|--------------|
|          |              |
| ART UNIT | PAPER NUMBER |
|          | 19           |

DATE MAILED:

8-8-03

**NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

The drawings filed 9-15-00 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

The Brief Description refers to Figures 1-13

The drawings contain Figures 11A-13

Applicant is required to correct the above-noted inconsistency within a time limit of ONE MONTH from the date of this letter, or within the time remaining in the response period set forth in the Notice of Allowability to file corrected drawings, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) or (b).

Failure to correct the above-noted inconsistency will result in abandonment of the application.

The application file will be held in the Publishing Division to await the correction of the inconsistency.

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Publishing Division, Drawing Processing Branch  
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